

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

MICHAEL KEVIN DuPONT, \*  
Petitioner \*

v.

DAVID NOLAN,  
Respondent

\* No. 04-11431-GAO

\*\*\*\*\*

AFFIDAVIT OF LEONARD JACKSON IN SUPPORT OF PETITIONER'S  
MOTIONS FOR ASSIGNMENT OF NEW COMPETENT C.J.A. COUNSEL

I, Leonard Jackson, hereby depose and state of my own personal knowledge, under pain and penalty of perjury:

- 1) From October 2001 thru February 2002 Attorney John Amabile was assigned to represent me in pre-trial preparation and first degree murder trial, Bristol Superior Court No.99-006.
- 2) Attorney Crystal Murray is presently arguing Attorney Amabile did not properly understand or argue the main point from Dunaway v. New York, 442 US 200(1979) ("seized" at moment of arrest, and unattenuated taint from illegal arrest) in my COMMONWEALTH v. JACKSON, SJC No.09059 appeal, based on Amabile mistakenly arguing in the Superior Court the point of formal arrest in police station after interrogation.
- 3) I filed a motion to discharge Amabile several weeks before my trial started, because he refused to argue my dismissal motion.
- 4) Attorney Amabile had c.261, §§ 27A-27D funds allowed for a defense investigator, but he never used any investigator or interview witnesses prior to trial.
- 5) Attorney Amabile only tried to get me to plead guilty and did not prepare my defense or prepare me to testify. He did not go over a long list of direct examination question or role-play a prosecutor doing mock cross-examination with me.
- 6) I was forced to wear a blue jail canteen purchased sweatshirt for the first two days of my trial because he did not bring me trial court clothes after taking my sizes two weeks before trial started.

February 4, 2004  
Copy served on Attorney  
General's Office on  
2/7/05

cc. Federal CJA Assignment staff

  
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